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**COMMENT OF THE BLACK EDUCATION NETWORK, INC.**

***Before the***  
**FEDERAL COMMUNICATIONS COMMISSION**  
**Washington, DC 20554**

In the Matter of )  
)  
Comment Requested on a La Carte and Themed )  
Tier Programming and Pricing Options for ) MB Docket No. 04-207  
Programming Distribution on Cable Television )  
And Direct Broadcast Satellite Systems )

SUBSIDIARIES

BEN Investment  
Group, Inc.

BIG Inventions, Inc.

Black Education  
Network, Inc.  
1165 Allgood Road  
Suite 13  
Marietta, GA 30062

July 14, 2004

The Black Education Network, Inc. (BEN) was founded in 1996 by Stephen Davis and Regina Illery with a vision toward creating a television network that presents entertaining programming that is intelligent and informative. BEN is proud to present authentic and diverse images and viewpoints from all peoples of the African Diaspora. BEN's objective has always been to build long-lasting partnerships and alliances with as many Black institutions as possible. The purpose has been to create a base of programming and production resources as well as brand loyalty through a community vested in the network. To that end, BEN has been and desires to continue to build enduring relationships with Historically Black Colleges and Universities, religious organizations, Black medical professionals and organizations, the Black independent film community, the Black policymaking community, the Black press, the Black fraternities and sororities, and the not-for-profit organizations that serve the Black community, including civic, charitable, and professional organizations.

July 13, 2004

BEN has signed an agreement with Paxson Communications Corporation to broadcast two hours of weekly programming on PAX-TV. The BEN branded programming on PAX-TV is set to launch on September 30, 2004. As part of its PAX programming, BEN will debut a series entitled "Independent Perspectives" which will spotlight the brilliant and compelling independent short films and documentaries from Black independent filmmakers, never before seen in a national forum. In addition, BEN will borrow on the voyeuristic attractions of reality tv with an innovative health show that focuses on the medical case studies of the famous and not so famous. BEN hopes to expand its programming to a 24 hour format within the next twelve (12) months.

Unfortunately the Black Education Network has had an incredibly difficult time trying to access African American viewers because the distribution means to reach that customer base have been blocked. Viewers have never been given the opportunity to choose Black Education Network's programming because the elite of cable ownership have chosen not to offer it. Our network has endured an unbearable distribution system at the expense of the millions of African American families that would be enriched by our content.

We have formed an alliance with Dr. Randall Maxey, President of the National Medical Association, to ensure that we are able to present high quality health programming directed towards underserved minorities. Of course, without distribution, we have been denied the opportunity to deliver this vital programming to our customers.

We urge Congress to ensure that the next generation of telecommunications laws makes access to distribution and enhanced consumer choice central principles. We are confident that if African American consumers had the choice, they would choose our programming. We also encourage Congress to support digital multicast must carry. Digital multicast must carry will enable our company to pursue distribution channels currently denied us by cable systems.

Sincerely,

Steven Davis

Stephen Davis

Chairman,

Black Education Network

July 13, 2004